

REMARKS

Claims 44, 46, 47, 49, 50, 52, 53, 55, 57, 59, 60, 61, 63, 64, 66, 67, 68, 70, 72, 74, 75, 76, 78, 79, 81, 82, 83, 85, and 87-95 are pending in this application. Claims 44, 50, 57, 64, 72, and 79 are amended herein. Support for the amendments to the claims may be found in the claims as filed originally, in Figs. 6, 27, and 28, especially at step 2806, and at page 13, lines 5-10, page 45, lines 21-25, page 46, lines 1-4 and 21-25, and page 47, lines 1-7 of the specification. Claims 48, 54, 56, 62, 69, 71, 77, 84, and 86 are canceled herein without prejudice or disclaimer. Further reconsideration is requested based on the foregoing amendment and the following remarks.

Response to Arguments:

The Applicants appreciate the consideration given to their arguments, and the new grounds of rejection. Further favorable consideration is requested.

Claim Rejections – 35 U.S.C. § 102:

Claims 44, 46, 47, 49, 57, 59, 60, 61, 63, 72, 74, 75, 76, 78, 88, 90, and 92 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,760,916 to Holtz (hereinafter "Holtz"). The rejection is traversed to the extent it might apply to the claims as amended. Withdrawal of the rejection as earnestly solicited.

In the claimed invention, a user requests that information be updated when an update version of a news item which the user has designated is published. Then the user's name is associated with a news number and a flag of "update necessary." When an updated version of the news item has actually been published, a relevance number is provided. If the relevance number coincides with the number in the user's news category file, the old information is updated and the user is informed accordingly. The last three clauses of claims 44, 57, and 72, in particular, recite:

Re-creating the homepage when any one of the electronic articles or the advertisements is updated;
registering "update necessary/unnecessary" information items for every electronic article in response to the user's request; and
re-creating of the homepage when the "update necessary/unnecessary" information of the updated information indicates "update necessary."

Holtz neither teaches, discloses, nor suggests, "re-creating the homepage when any one

of the electronic articles or the advertisements is updated; registering "update necessary/unnecessary" information items for every electronic article in response to the user's request; and re-creating of the homepage when the "update necessary/unnecessary" information of the updated information indicates "update necessary," as recited substantially in claims 44, 57, and 72. Holtz, in fact, describes no re-creating of a homepage at all. In Holtz, rather, a streamer 1100 is a textual or graphical user interface for use with an enhanced media server 120. In particular, as recited a column 41, lines 36-46:

FIG. 11 illustrates streamer 1100 for use with an enhanced media server 120 according to an embodiment of the present invention. Streamer 1100 is a textual or graphical user interface that provides a common platform for integrating one or more of the following components: a media viewer 1102, media index 1104, viewer controls 1106, auxiliary media 1108a-1108b, opinion media 1110, media access area 1112, banners 1114a-1114d, media access controls 1116, and index button 1118.

Since, in Holtz, the streamer 1100 is a textual or graphical user interface for use with an enhanced media server 120, Holtz is not "re-creating the homepage when any one of the electronic articles or the advertisements is updated; registering "update necessary/unnecessary" information items for every electronic article in response to the user's request; and re-creating of the homepage when the "update necessary/unnecessary" information of the updated information indicates "update necessary," as recited substantially in claims 44, 57, and 72. Claims 44, 57, and 72 are submitted to be allowable. Withdrawal of the rejection of claims 44, 57, and 72 is earnestly solicited.

Claims 46, 47, 49, 59, 60, 61, 63, 74, 75, 76, 78, 88, 90, and 92 depend from either claim 44, and claim 57, or claim 72 and add further distinguishing elements. Claims 46, 47, 49, 59, 60, 61, 63, 74, 75, 76, 78, 88, 90, and 92 are also submitted to be allowable. Withdrawal of the rejection of claims 46, 47, 49, 59, 60, 61, 63, 74, 75, 76, 78, 88, 90, and 92 is earnestly solicited.

Claim Rejections – 35 U.S.C. § 103:

Claims 87, 89, and 91 are rejected under 35 U.S.C. §103(a) as being unpatentable over Holtz in view of U.S. Patent Application Publication No. 2001/0025288 to Yanase (hereinafter "Yanase"). The rejection is traversed. Withdrawal of the rejection as earnestly solicited.

Yanase is not a valid reference for use against the subject application under the provisions of 35 U.S.C. § 103(c). As provided therein:

(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The subject application, in particular, claims priority to Japanese Patent Application No. 2001-197069, which was filed June 28, 2001. Yanase, on the other hand, was published on September 27, 2001, or after the priority date of the subject application, and thus qualifies as prior art only under 102(e). Both the subject application and Yanase, moreover, were assigned to Fujitsu Limited at the time the invention was made. Thus, Yanase shall not preclude patentability under 35 U.S.C. §103, and the rejection ought to be withdrawn.

Claims 87, 89, and 91, in any case, depend from claims 44, 47, and 72, respectively, and add further distinguishing elements. Holtz is not "re-creating the homepage when any one of the electronic articles or the advertisements is updated; registering "update necessary/unnecessary" information items for every electronic article in response to the user's request; and re-creating of the homepage when the "update necessary/unnecessary" information of the updated information indicates "update necessary," as discussed above with respect to the rejection of claims 44, 57, and 72. Claims 87, 89, and 91 are submitted to be allowable. Withdrawal of the rejection of claims 87, 89, and 91 is earnestly solicited.

Claims 50-53, 55, 64, 66, 67, 68, 70, 79, 81, 82, 83, 85, 93, 94, and 95:

Claims 50-53, 55, 64, 66, 67, 68, 70, 79, 81, 82, 83, 85, 93, 94, and 95 were rejected under 35 U.S.C. §103(a) as being unpatentable over Holtz and Yanase in view of U.S. Patent No. 6,101,485 to Fortenberry (hereinafter "Fortenberry "). The rejection is traversed. Withdrawal of the rejection as earnestly solicited.

Yanase is not a valid reference for use against the subject application under the provisions of 35 U.S.C. § 103(c), as discussed above.

The last three clauses of claims 50, 64, and 79, in any case, recite:

Re-creating the homepage when any one of the electronic articles or the advertisements is updated;
registering "update necessary/unnecessary" information items for every electronic article in response to the user's request; and
re-creating of the homepage when the "update necessary/unnecessary" information of the updated information indicates "update necessary."

Holtz is not "re-creating the homepage when any one of the electronic articles or the advertisements is updated; registering "update necessary/unnecessary" information items for every electronic article in response to the user's request; and re-creating of the homepage when the "update necessary/unnecessary" information of the updated information indicates "update necessary," as discussed above with respect to the rejection of claims 44, 57, and 72. Fortenberry is not either, and thus cannot make up for the deficiencies of Holtz with respect to any of claims 50, 64, or 79. Claims 50, 64, and 79 are submitted to be allowable. Withdrawal of the rejection of claims 50, 64, and 79 is earnestly solicited.

Claims 51, 52, 53, 55, 66, 67, 68, 70, 81, 82, 83, 85, 93, 94, and 95 depend from either claim 50, claim 64, or claim 79 and add further distinguishing elements. Claims 51, 52, 53, 55, 66, 67, 68, 70, 81, 82, 83, 85, 93, 94, and 95 are submitted to be allowable. Withdrawal of the rejection of claims 51, 52, 53, 55, 66, 67, 68, 70, 81, 82, 83, 85, 93, 94, and 95 is earnestly solicited.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 44, 46, 47, 49, 50, 52, 53, 55, 57, 59, 60, 61, 63, 64, 66, 67, 68, 70, 72, 74, 75, 76, 78, 79, 81, 82, 83, 85, and 87-95 are allowable over the cited references. Allowance of all claims 44, 46, 47, 49, 50, 52, 53, 55, 57, 59, 60, 61, 63, 64, 66, 67, 68, 70, 72, 74, 75, 76, 78, 79, 81, 82, 83, 85, and 87-95 and of this entire application is therefore respectfully requested.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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